CM launches online open court initiative

Bureau Report

PESHAWAR: Khyber Pakhtunkhwa Chief Minister Sohail Afridi on Friday launched the online open court initiative titled – Aap ka Wazir-i-Ala Aap Kay Saath – to ensure direct and prompt redressal of citizens' complaints.

A statement issued from the chief minister's secretariat said that the first online open court was held for Bajaur district, where the chief minister listened directly to the issues raised by citizens and directed the officials concerned on several complaints on the spot.

He also ordered that all complaints received during the forum be resolved within 14 days and a formal report be submitted thereafter.

Mr Afridi said the initiative had been launched on the pattern of Pakistan Tehreek-i-Insaf founder Imran Khan's 'Aap ka Wazir-i-Azam Aap Kay Saath' in order to reduce the gap between the general public and the government and to enable direct resolution of public issues.

While hearing complaints related to the education sector, the chief minister directed strict implementation of the policy concerning the student-teacher ratio in schools, the statement said.

The chief minister made it clear that the provincial standard was one teacher for 40 students and that compliance with the policy must be ensured in all circumstances.

Taking notice of complaints regarding lack of basic facilities and staff absenteeism in schools, the chief minister stated that the provincial cabinet had already approved funds for the provision of missing facilities.

Mr Afridi said that issues faced by second shift teachers in educational institutions should be resolved on a priority basis and directed the full implementation of the minimum monthly wage policy.

He also made it clear that teachers' salaries must be transferred directly into their bank accounts on the first day of every month.

While responding to complaints regarding the transport sector, the chief minister directed the strict enforcement of the prescribed passenger limits and fare lists in public transport across the province and warned that licences of transporters found violating the rules would be cancelled.

About issues being faced by people in health sector, the chief minister directed authorities concerned to ensure presence of doctors in hospitals.

He also directed officials to conduct surprise visits to hospitals and ensure prompt action on complaints.

The chief minister also stated that former Fata games would be revived so that tribal youth could be provided with meaningful opportunities to participate in sports.

While interacting with citizens during the open court, the chief minister emphasised that work on ongoing development projects in Bajaur district must be expedited to ensure their early completion.

AN eye-catching view of Nathiagali, Abbottabad, after heavy snowfall. — PPI

PHC declares right to fair trial applicable to all proceedings

Rejects govt plea against sessions judge's order in summary trial case

Bureau Report

PESHAWAR: Peshawar High Court has declared that the right to fair trial and due process is applicable to all statutes and proceedings, even in cases where the law is silent, including summary trials.

Justice Mohammad Naeem Anwar of a single-member bench rejected the plea of the provincial government against a sessions judge's verdict to set aside the order of a special magistrate (assistant commissioner) to convict and fine a sugar hoarder.

On July 12, 2023, the sessions judge accepted the appeal of convict Malik Saddam Jan and ordered to refund Rs200,000 received from him as fine for hoarding huge quantities of sugar in his godown.

Discussing the Code of Criminal Procedure (CrPC), Price Control and Prevention of Profiteering and Hoarding Act, 1977, and Khyber Pakhtunkhwa Covid-19 (Prevention of Hoarding) Act, 2020, the bench declared that likewise, Article 10-A of the Constitution guaranteed the fundamental right to a fair trial and due process and it applied to every statute and proceeding, even where the law was silent.

"Due process requires that a person must receive notice of proceedings, be given a reasonable opportunity to defend, be tried by an impartial and honest forum, and that such forum must be of competent jurisdiction," it observed in a seven-page detailed order.

The court declared that the doctrine of due process imposed a duty on courts, tribunals and executive authorities to follow lawful procedure, afford parties a fair chance to present their case, examine witnesses and produce evidence.

It added that even where procedural law is silent, the minimum standards of fairness under Article 10-A must be observed, failing which the entire proceedings became unsustainable.

The bench held that the sessions judge committed no illegality or jurisdictional error in entertaining and allowing the appeal and ordering refund of the fine.

An assistant advocate general, representing the government, contended that the respondent (Malik Saddam) was caught red-handed and on the basis of his confession he was fined Rs 200,000 by the assistant commissioner, Shah Alam tehsil, acting as special magistrate on Apr 19, 2023, under the Prevention of Profiteering and Hoarding Act, 1977 read with the Covid-19 (Prevention of Hoarding) Act.

He contended that the sessions judge was expressly barred under the law to exercise any jurisdiction in the matter.

The respondent's counsel, Shah Hussain Nasapa, argued that the entire proceedings conducted by the AC, from inception to conclusion, were not in accordance with the law

The bench observed that the order of the special magistrate/AC was appealable as the fine exceeded the limits prescribed under section 14-A of the CrPC.

It declared that in in appealable summary cases, section 264 CrPC mandatorily required recording of substance of the substance of evidence and a reasoned judgment.

"In the instant case, perusal of the record reveals that the Petitioner-State, along with the revision petition, has only annexed the impugned judgment passed by the learned Sessions Judge and has failed to place on record the proceedings of the learned Special Magistrate, including the complaint, order of conviction, or any proper record of the summary trial," it declared.

The court added that the records of both appellate and trial courts were called, but the records of the trial court were not made available despite repeated orders.

"The only document annexed with the petition and available before the court is the receipt of deposit of fine, which is a printed proforma, filled in by hand. Neither any complaint allegedly filed by the public at large is available on the record, nor any statement of allegations, show cause notice, or record of trial proceedings, if any, even no formal order of conviction appears to have been passed by the learned Special Magistrate. In the printed form too, it is not clear as to whether the accused/petitioner was convicted and sentenced under the Act 1977 or Act, 2020," it pointed out.

The court added that in those circumstances, a printed form regarding the deposit of fine, containing a bald endorsement such as "pleads guilty" or a vague statement, by no stretch of imagination satisfied the mandatory requirements of the law.

It declared that such an endorsement neither constituted a lawful confession nor could it be treated as a valid judicial order passed in accordance with the mandatory provisions of law, and as such, the entire proceedings stood vitiated.

Outlaw killed in Mardan 'encounter'

PESHAWAR: An outlaw was killed in an alleged police encounter in Mardan district on Friday.

The encounter took place in the Sawal Dher area, the police said, adding that he was wanted in the murder of a minor child.

The Mardan police spokesperson said that following the horrific killing of the child, Abdullah in the Sawal Dher area, district police officer Masood Ahmed took strict notice of the incident and issued instructions for immediate action. A case had been registered at the Jabr police station on the complaint of the victim's father, Murad Ali.

Under the supervision of SP rural Inam Jan Khan and led by DSP Katlang Izhar Shah Khan and SHO Mudassir Khan, special police teams were formed, which were continuously conducting raids to arrest the suspect.

The police received information that the main murder suspect, Junaid, a resident of Sawal Dher, was hiding in fields near Jamal Garhi Canal.

Acting on this information, an immediate raid was conducted.

Upon seeing the police party, the outlaw opened fire to avoid arrest. The police responded with lawful and effective retaliatory action. During the exchange of fire, the outlaw was killed. A Kalashnikov rifle was recovered from his possession. The body was shifted to a hospital. — APP

JI leader stresses need to improve ties with Afghanistan

By Our Correspondent

LOWER DIR: Jamaat-i-Islami deputy chief Liaqat Baloch has said that improving relations with Afghanistan is the most pressing need of the hour.

Addressing Jamaat's monthly congregation on Thursday night, he said lasting peace in the region depended on economic stability and mutual trust, urging both the neighbouring countries to move forward with wisdom, patience and a well-thought-out strategy.

Referring to Afghan refugees, Mr Baloch said they were Pakistan's "religious, moral and humanitarian brothers", and warned that harsh treatment and forced measures would not resolve issues but would instead aggravate them.

He urged the state to adopt a humane approach, allow refugees adequate time and ensure facilities for their dignified return.

He also called on the Afghan government to act with seriousness and wisdom rather than emotional reactions, keeping ground realities in view.

Mr Baloch said strained Pak-Afghan relations harmed not only the two governments but also the people on both sides of the border, adding that trade, education, employment and peace all suffered due to prolonged tensions.

He stressed the need to resolve border disputes, security concerns and diplomatic differences through sustained dialogue.

Criticising Pakistan Tehreek-i-Insaf, Mr Baloch said the party should abandon 'agitation-based' politics and demonstrate political maturity in national affairs.

He said at a time when the country was grappling with serious economic, political and security challenges, ego-driven politics and the misuse of social media were causing further damage.

The Jamaat leader said that PTI had been in power in Khyber Pakhtunkhwa for the past 13 years, yet the province continued to face misgovernance, corruption and institutional decline.

Mr Baloch maintained that many of the province's problems were not linked to the establishment or the federal government but stemmed from the provincial government's incompetence, misplaced priorities and weak governance.

PRESS CLUB ELECTIONS: The annual elections of the Chakdara Press Club for the 2026-27 term have been completed with Mohammad Jaleel elected as president and Hakim Noor Faqir general secretary.

All cabinet members were elected unopposed. Haji Abdul Rahim was elected vice-president, Ahmed Shah joint secretary, Javedur Rehman finance secretary and Mohammad Israr office secretary.

Swat hotel to be leased out thru transparent auction: CM aide

Bureau Report

PESHAWAR: The special assistant to Khyber Pakhtunkhwa chief minister on information and public relations, Shafi Jan, said on Friday that the provincial government was fully committed to transparent, efficient and honest management of valuable public assets along with the promotion of tourism across the province.

In a statement issued here, Mr Jan rejected the negative propaganda surrounding the Swat Hotel (formerly Serena Hotel), saying such claims were misleading and contrary to facts.

Providing details, Shafi Jan said the Swat Hotel was a prime tourism property spread over approximately 44.6 kanals. The hotel was leased in April 1985 to M/s Tourism Promotion Services (Serena Hotel) for a period of 30 years at an annual rent of Rs500, 000. The lease expired on June 30, 2015.

He explained that following the expiry of the lease, disagreements emerged over the determination of rent at prevailing market rates, leading to legal proceedings. During different periods, the rent was reassessed, fixing it at Rs8.86 million annually in 2014 and Rs13.27 million in 2022. In October 2021, the provincial cabinet approved a temporary retrospective extension, subject to the determination of a fair market rent.

Subsequently, a multi-sectoral committee headed by the director general of the Culture and Tourism Authority conducted a detailed assessment and determined the annual market rent at Rs104.69 million to align with current market realities. However, after reviewing legal and policy requirements, it was decided that further extension of the lease was not permissible under the existing provincial policy.

Following this decision, the Serena Hotel management agreed to vacate the premises in December 2025 and on December 31, 2025, the possession of Swat Hotel was formally handed over to the Khyber Pakhtunkhwa Culture and Tourism Authority.

Shafi Jan said the government plans to lease out the property through a transparent and competitive open auction. According to third-party assessments, the hotel's monthly market value is significantly higher, which could generate substantial revenue for the province.

He added that the provincial government was taking effective measures to promote tourism, improve facilities for tourists and further strengthen infrastructure in tourist destinations, noting that tourism is a key pillar of the provincial economy.

Thousands rally in Mirali against military operations in N. Waziristan

Also call for lifting restrictions on people's movement, their 'economic blockade'

By Pazeer Gull

MIRAMSHAH: Thousands of people belonging to the Utmanzai tribe took out a rally in Mirali here on Friday to demand concrete steps for restoring peace in the North Waziristan, and lifting restrictions on people's movement, their 'economic blockade'.

The rally was held at the Noor Islam Shaheed Chowk, where participants also offered Friday prayers led by MNA Mufti Misbahuddin. The speakers stressed that peace was a fundamental right of citizens, demanding that residents of North Waziristan be allowed to live peacefully.

Addressing the gathering, elders said continued insecurity, restrictions on people's movement, and their 'economic blockade' had made life unbearable for them.

On the occasion, the banned Pashtun Tahaffuz Movement leader Dr Hayat said the people had exhausted all avenues to demand security and peace but continued to face 'discriminatory' treatment. He recalled that a relatively stable security situation had prevailed after Operation Zarb-i-Azb and questioned how terrorists were now able to enter mosques despite the presence of multiple security agencies in the region.

Jamaat-i-Islami leader Malik Imshadullah said the region had endured more than two decades of inconsistent policies, marked by a persistent gap between the state's commitments and actions. Maulana Misbahullah, son of late Maulana Mohammad Deendar, said peace was the greatest blessing and that tribal elders had always cooperated with the state, but the authorities did not appear serious about restoring lasting stability.

MNA Mufti Misbahuddin told the rally that Waziristan could no longer withstand further military operations, alleging that repeated operations had turned into a "profitable business" for the state.

Chief of Waziristan Malik Nasrullah said every child in the region yearned for peace and warned that if the government failed to act, the tribes would be compelled to announce civil disobedience and block all entry and exit routes.

He demanded compensation for damaged shops, an end to alleged torture of innocent people, and immediate return of seized non-custom-paid vehicles.

Elder Malik Nasrullah also criticised placement of tribal elders and maliks on the Fourth Schedule, demanding immediate removal of restrictions to allow them free movement like other citizens.

ANP leader Malik Nisar Ali Khan urged the authorities to allow the youth of the region to live normal lives.

Elder Mufti Baitullah Aman said peace was a sacred demand, adding that Islam placed great emphasis on security and human dignity. He said the people were asking for peace, not confrontation, and called on the state to fulfil its constitutional responsibilities.

The participants demanded that police be empowered and all checkposts handed over to them, while security forces should focus on border security.

They also urged terrorist groups to stay away from populated areas, saying homes, shops, hospitals, and other civilian properties could not be turned into bunkers or occupied by force.

They demanded immediate recovery of the missing persons, including Malik Akbar Khan, and their handover to police if any cases were registered against them.

The elders also called for reopening of Ghulam Khan border for trade with Afghanistan by January 20, stating that nearly 20,000 people depended on cross-border trade for their livelihoods.

The speakers also urged the authorities to take notice of the rising incidence of cancer in the region and to ensure that all hospitals were fully functional to provide proper healthcare.

The elders said thousands of residents had their passports and national identity cards blocked and demanded their immediate restoration.